



# Ceylon Government Gazette

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 PART V.—Mercantile, Marine, Municipal, Local, &c.

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## Part II.—Legal and Judicial.

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### DRAFT ORDINANCES.

#### MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

#### An Ordinance to amend "The Habitual Criminals' and Licensed Convicts' Ordinance, 1899."

Preamble.

WHEREAS it is expedient to amend "The Habitual Criminals' and Licensed Convicts' Ordinance, 1899," in order to facilitate the supervision of habitual criminals and licensed convicts: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Habitual Criminals' and Licensed Convicts' (Amendment) Ordinance, 190," and shall be read and construed as one with "The Habitual Criminals' and Licensed Convicts' Ordinance, 1899," hereinafter referred to as "the principal Ordinance," and the principal Ordinance and this Ordinance may be cited together as "The Habitual Criminals' and Licensed Convicts' Ordinances, 1899 and 190."

Amendment of sections 8 and 9 of Ordinance No. 7 of 1899.

Duty of habitual criminal to report himself.

Punishment for neglect of such duty.

2 For sections 8 and 9 of the principal Ordinance there shall be respectively substituted the following sections, namely :

8. Every person made subject as aforesaid to the supervision of the police shall, before his discharge from jail, notify to the Superintendent of the Prison in which he is detained the place where he intends to reside, and shall thereafter, as long as he remains subject to such supervision, notify his residence and report himself at such times and places and in such manner as may be prescribed by rules made under section 4 of this Ordinance.

9. Any person who fails to notify his residence, or to report himself as required by the last preceding section, or by any rule made under section 4, shall in every case, unless he satisfies the court that he did his best to act in conformity with the said section or rules, be guilty of an offence under this Ordinance, and be liable on conviction to rigorous imprisonment for any period not exceeding six months.

By His Excellency's command,

HUGH CLIFFORD,

Colonial Secretary's Office,

Colonial Secretary.

Colombo, August 22, 1907.

*Statement of Objects and Reasons.*

THE object of the Draft Ordinance is to amend "The Habitual Criminals' and Licensed Convicts' Ordinance, 1899," so as to enable details as to the times and places at which persons subject to police supervision are obliged to report themselves to be settled by regulations made from time to time by the Governor in Executive Council.

WALTER PEREIRA,  
Acting Attorney-General.

Colombo, September 2, 1907.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

An Ordinance to amend "The Joint Stock Companies' Ordinance, 1861."

Preamble.

WHEREAS it is expedient to amend "The Joint Stock Companies' Ordinance, 1861," hereinafter referred to as "the principal Ordinance": Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.

1 This Ordinance may be cited for all purposes as "The Joint Stock Companies' (Amendment) Ordinance, 190 ."

Construction.

2 The principal Ordinance, "The Joint Stock Companies' Ordinance, 1888," "The Joint Stock Companies' Ordinance, 1893," and this Ordinance shall be read and construed as one Ordinance, and may be cited for all purposes as "The Joint Stock Companies' Ordinances, 1861 to 190 ."

Commencement of Ordinance.

3 This Ordinance shall come into force on the day of

Section 35 amended.

4 After section 35 of the principal Ordinance the following section shall be added and numbered 35 A, namely :

Change of registered office.

35 A (1) Any company registered under this Ordinance may by special resolution so far modify the conditions contained in its memorandum of association as to remove its registered office from the town mentioned in its memorandum of association as being the town in which its registered office is to be established and establish it within the town of Colombo or the town of Kandy.

(2) The statement of the town in which the registered office of the company is to be established contained in every copy of the memorandum of association issued after the passing of any such special resolution shall be in accordance with such resolution; and any company which makes default in complying with the provisions of this section shall incur a penalty not exceeding ten rupees for each copy in respect of which such default is made, and every director and manager of the company who knowingly or wilfully authorizes or permits such default shall incur the like penalty.

Subdivision and consolidation of existing shares.

5 After section 13 of the principal Ordinance the following section shall be inserted and numbered 13 A :

13 A (1) Any company registered under this Ordinance may by special resolution so far modify the conditions contained in its memorandum of association if authorized so to do by its regulations as originally framed, or as altered by special resolution, as—

- (a) By subdivision of its existing shares or any of them to divide its capital or any part thereof into shares of smaller amount than is fixed by its memorandum of association.
- (b) By consolidation of its existing shares or any of them to divide its capital or any part thereof into shares of larger amount than is fixed by its memorandum of association.

Provided that in the subdivision or consolidation of the existing shares the proportion between the amount which is paid and the amount, if any, which is unpaid on each share of reduced or increased amount shall be the same as it was in the case of the existing share or shares from which the share of reduced or increased amount is derived.

Special resolution to be embodied in the memorandum of association.

(2) The statement of the number and amount of the shares into which the capital of the company is divided contained in every copy of the memorandum of association issued after the passing of any such special resolution shall be in accordance with such resolution; and any company which makes default in complying with the provisions of this sub-section shall incur a penalty not exceeding ten rupees for each copy in respect of which such default is made, and every director and manager of the company who knowingly or wilfully authorizes or permits such default shall incur the like penalty.

By His Excellency's command,

HUGH CLIFFORD,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, August 27, 1907.

*Statement of Objects and Reasons.*

THE Draft Ordinance introduces certain amendments in the law relating to joint stock companies.

2. In view of the inconvenience which has been experienced in some cases owing to the registered office named in the memorandum of association not being situated at a business centre, the Draft Ordinance, by section 4, enables the conditions of the memorandum of association to be so modified as to remove the registered office to Kandy or Colombo.

3. Companies are further empowered, by section 5, by a similar modification of the memorandum of association, to divide their capital into shares of larger or smaller amount than was originally fixed by the memorandum of association. This provision is subject to the provision that the proportion between the paid and the unpaid amount shall be maintained.

ALFRED G. LASCELLES,  
Attorney-General.

Attorney-General's Chambers,  
Colombo, July 22, 1907.

## MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

## An Ordinance relating to Copyright.

Preamble. **W**HEREAS it is expedient to secure the right of property in literary and artistic works: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

## PART I.—PRELIMINARY.

Short title. **1** (1) This Ordinance may be cited as “The Copyright Ordinance, 190 ” and shall come into operation at such date as the Governor shall, by Proclamation in the *Government Gazette*, appoint.

Division into parts. (2) This Ordinance is divided as follows:—  
 Part I.—Preliminary.  
 Part II.—Administration.  
 Part III.—Literary Copyright.  
 Part IV.—Artistic Copyright.  
 Part V.—Infringement of Copyright.  
 Part VI.—Registration of Copyright.  
 Part VII.—Miscellaneous.

Interpretation. **2** In this Ordinance, unless the contrary intention appears—

“Artistic work” includes—

- (a) Any painting, drawing, or sculpture; and
- (b) Any engraving, etching, print, lithograph, wood-cut, photograph, or other work of art produced by any process, mechanical or otherwise, by which impressions or representations of works of art can be taken or multiplied.

“Author” includes the personal representatives of an author.

“Book” includes any book or volume, and any part or division of a book or volume, and any article in a book or volume, and any pamphlet, periodical, sheet of letterpress, map, chart, diagram, or plan separately published, and any illustration therein.

“Lecture” includes a sermon.

“Periodical” means a review, magazine, newspaper, or other periodical work of a like nature.

“Pirated artistic work” means a reproduction of an artistic work made in any manner without the authority of the owner of the copyright in the artistic work.

“Pirated book” means a reproduction of a book made in any manner without the authority of the owner of the copyright in the book.

“Portrait” includes any work, the principal object of which is the representation of a person by painting, drawing, engraving, photography, sculpture, or any form of art.

“Publish” and “publication” in relation to a book refer to offer for sale or distribution in each case with the privity of the author so as to make the book accessible to the public.

“The Registrar” means the Registrar of Copyrights.

What is simultaneous publication.

**3** For the purposes of this Ordinance, publication or delivery in Ceylon shall be deemed to be simultaneous with publication or delivery elsewhere, if the period between the publications or deliveries does not exceed fourteen days.

Blasphemous,  
&c., matter  
not protected.

4 No copyright or lecturing right shall subsist under this Ordinance in any blasphemous, indecent, seditious, or libellous work or matter.

Application of  
the Common  
Law.

5 Subject to this Ordinance, the Common Law of England relating to proprietary rights in unpublished literary compositions shall, after the commencement of this Ordinance, apply in Ceylon.

#### PART II.—ADMINISTRATION.

Registrar.

6 The Registrar-General shall be the Registrar of Copyrights, unless the Governor shall by Proclamation appoint some other person to be the Registrar of Copyrights, which appointment the Governor is hereby empowered to make from time to time as occasion may require.

Copyright office.

7 For the purposes of this Ordinance, an office shall be established, which shall be called the "copyright office." The office of the Registrar-General shall be the copyright office, unless and until the Governor otherwise directs.

Seal of  
copyright office.

8 There shall be a seal of the copyright office, and impressions thereof shall be judicially noticed.

#### PART III.—LITERARY COPYRIGHT.

Copyright in  
books.

9 (1) The copyright in a book means the exclusive right to do, or authorize another person to do, all or any of the following things in respect of it :

- (a) To make copies of it ;
- (b) To abridge it ; and
- (c) To translate it.

(2) Copyright shall subsist in every book, whether the author is a British subject or not, which has been printed from type set up in Ceylon or plates made therefrom, or from plates or negatives made in Ceylon in cases where type is not necessarily used, and has, after the commencement of this Ordinance, been published in Ceylon before or simultaneously with its first publication elsewhere.

Lecturing  
right in  
lectures.

10 (1) The lecturing right in a lecture means the exclusive right to deliver it, or authorize its delivery, in public, and, except as hereinafter provided, to report it.

(2) Lecturing right shall subsist in every lecture, whether the author is a British subject or not, which has, after the commencement of this Ordinance, been delivered in public in Ceylon before or simultaneously with its first delivery in public elsewhere.

Commencing  
of copyright  
and lecturing  
right.

11 (1) The copyright in a book shall begin with its first publication in Ceylon.

(2) The lecturing right in a lecture shall begin with its first delivery in public in Ceylon.

Term of  
copyright and  
lecturing right.

12 (1) The copyright in a book and the lecturing right in a lecture shall subsist for the term of forty-two years or for the author's life and seven years, whichever shall last the longer.

(2) Where the first publication of a book, or the first delivery in public of a lecture, takes place after the death of the author, the copyright shall subsist for the term of forty-two years.

(3) Where a book is written by joint authors the copyright shall subsist for the term of forty-two years or their joint lives and the life of the survivor of them and seven years, whichever shall last the longer.

(4) If a lecture is published as a book with the consent in writing of the owner of the lecturing right, the lecturing right shall cease.

Ownership in  
copyright and  
lecturing right.

13 (1) The author of a book shall be the first owner of the copyright in the book.

(2) The author of a lecture shall be the first owner of the lecturing right in the lecture.

Ownership in  
the case of  
joint authors.

14 Where there are joint authors of a book, or of a lecture, the copyright, or the lecturing right, as the case may be, shall be the property of the authors.

- Separate authors.** 15 Where a book is written in distinct parts by separate authors and the name of each author is attached to the portion written by him, each author shall be entitled to copyright in the portion written by him in the same manner as it were a separate book.
- Encyclopædia and similar works.** 16 The proprietor or projector of an encyclopædia or other similar permanent work of reference who employs some other person for valuable consideration in the composition of the whole or any part of the work shall be entitled to the copyright in the work in the same manner as if he were the author thereof.
- Copyright in articles published in periodicals.** 17 (1) The author of any article contributed for valuable consideration to, and first published in, a periodical shall be entitled to copyright in the article as a separate work, but so that—
- (a) He shall not be entitled to publish the article or authorize its publication until one year after the end of the year in which the article was first published; and
- (b) His right shall not exclude the right of the proprietor of the periodical under this section.
- (2) The proprietor of a periodical in which an article which has been contributed for valuable consideration is first published shall be entitled to copyright in the article, but so that—
- (a) He shall not be entitled to publish the article or authorize its publication except in the periodical in its original form of publication; and
- (b) His right shall not exclude the right of the author of the article under this section.
- Copyright in articles published in periodicals without valuable consideration.** 18 The author of any article contributed without valuable consideration to, and first published in, a periodical shall be entitled to copyright in the article as a separate work.
- Copyright, &c., to be personal property.** 19 The copyright in a book and the lecturing right in a lecture shall be capable of assignment and of transmission by operation of law.
- Copyright and other rights to be separate properties.** 20 The copyright in a book and the lecturing right in a lecture shall be deemed to be distinct properties for the purposes of ownership, assignment, license, transmission, and all other purposes.
- Assignment of copyright.** 21 The owner of the copyright in a book or of the lecturing right in a lecture may assign his right either wholly or partially and either generally or limited to any particular place or period, and may grant any interest therein by license; but an assignment or grant shall not be valid unless it is in writing signed by the owner of the right in respect of which it is made or granted.
- New editions.** 22 Any second or subsequent edition of a book containing material or substantial alterations or additions shall be deemed to be a new book, but so as not to prejudice the right of any person to reproduce a former edition of the book or any part thereof after the expiration of the copyright in the former edition.
- Provided that, while the copyright in a book subsists, no person, other than the owner of the copyright in the book or a person authorized by him, shall be entitled to publish a second or subsequent edition thereof.
- Making of abridgment, &c., for private use.** 23 Copyright in a book shall not be infringed by a person making an abridgment or translation of the book for his private use (unless he uses it publicly or allows it to be used publicly by some other person), or by a person making fair extracts from or otherwise fairly dealing with the contents of the book for the purpose of a new work, or for the purposes of criticism, review, or refutation, or in the ordinary course of reporting scientific information.

Translations or abridgments.

**24** Where the author has parted with the copyright in his book and a translation or abridgment of the book is made with the consent of the owner of the copyright by some person other than the author, notice shall be given in the title page of every copy of the translation or abridgment that it has been made by some person other than the author.

Failure of author to make or cause translation of book.

**25** Where a translation of a book into a particular language is not made within ten years from the date of the publication of the book by the owner of the copyright or by some person by his authority—

- (a) Any person desirous of translating the book into that language may make an application in writing to the Governor for permission so to do.
- (b) The Governor may thereupon by notice in writing under the hand of the Colonial Secretary inform the owner of the copyright of such application and request him to make or cause to be made a translation of the book into that language within such time as the Governor deems reasonable, or to show cause why such application should not be granted.
- (c) If the owner of the copyright fails to comply with such notice, the Governor may grant such application.

Copyright in translations.

**26** Copyright shall subsist in a lawfully produced translation or abridgment of a book in like manner as if it were an original work.

Report of lecture in a newspaper.

**27** (1) Unless the reporting of a lecture is prohibited by a notice as in this section mentioned, the lecturing right in a lecture shall not be infringed by a report of the lecture in a newspaper.

(2) The notice prohibiting the reporting of a lecture may be given—

- (a) Orally at the beginning of the lecture ; or
- (b) By a conspicuous written notice affixed, before the lecture is given, on the entrance doors of the building in which it is given or in a place in the room in which it is given.

(3) When a series of lectures is intended to be given by the same lecturer on the same subject, one notice only need be given in respect of the whole series.

#### PART IV.—ARTISTIC COPYRIGHT.

Meaning of copyright.

**28** The copyright in an artistic work means the exclusive right of the owner of the copyright to reproduce or authorize another person to reproduce the artistic work, or any material part of it, in any manner, form, or size, in any material, or by any process, or for any purpose.

Copyright in artistic works.

**29** Copyright shall subsist in every artistic work, whether the author is a British subject or not, which is made in Ceylon after the commencement of this Ordinance.

Commencement and term of artistic copyright.

**30** The copyright in an artistic work shall begin with the making of the work, and shall subsist for the term of forty-two years or for the author's life and seven years, whichever shall last the longer.

Ownership of copyright in artistic work.

**31** The author of an artistic work shall be the first owner of the copyright in the work.

Copyright in portraits.

**32** When an artistic work, being a portrait, is made to order for valuable consideration, the person to whose order it is made shall be entitled to the copyright therein as if he were the author thereof.

Copyright in photographs.

**33** (1) When a photograph is made to order for valuable consideration, the person to whose order it is made shall be entitled to the copyright therein as if he were the author thereof.

(2) Subject to sub-section (1) of this section, when a photograph is made by an employé on behalf of his employer the employer shall be deemed to be the author of the photograph.

Engravings and prints.

34 (1) Subject to section 28 of this Ordinance, the engraver or other person who makes the plate or other instrument by which copies of an artistic work are multiplied shall be deemed to be the author of the copies produced by means of the plate or instrument.

(2) When the plate or other instrument mentioned in this section is made by an employé on behalf of his employer, the employer shall be deemed to be the author of the copies produced by means of the plate or instrument.

Copyright in case of sale of painting, statue, or bust.

35 (1) When the owner of the copyright in any artistic work being a painting, or a statue, bust, or other like work, disposes of such work for valuable consideration, but does not assign the copyright therein, the owner of the copyright (except as in this section mentioned) may, in the absence of any agreement in writing to the contrary, make a replica of such work.

Right of author to make replicas of statues, &c., in public places.

(2) When a statue, bust, or other like work, whether made to order or not, is placed or is intended to be placed in a street or other like public place, the author may, in the absence of any agreement to the contrary, make replicas thereof.

Artistic copyright is personal property.

36 The copyright in an artistic work shall be capable of assignment and of transmission by operation of law.

Copyright and ownership in artistic works.

37 The copyright in an artistic work and the ownership of the artistic work shall be deemed to be distinct properties for the purposes of ownership, assignment, license, transmission, and all other purposes.

Assignment of copyright.

38 The owner of the copyright in an artistic work may assign his right wholly or partially and either generally or limited to any particular place or period and may grant any interest therein by license; but an assignment or grant shall not be valid unless it is in writing signed by the owner of the copyright.

#### PART V.—INFRINGEMENT OF COPYRIGHT.

Infringement of rights under Ordinance.

39 If any person infringes any right conferred by this Ordinance in respect of the copyright in a book, the lecturing right in a lecture, or the copyright in an artistic work, the owner of the right infringed may maintain an action for damages or penalties or profits and for an injunction, or for any of these remedies.

Damages in case of lecturing right.

40 In assessing the damages in respect of the infringement of the lecturing right in a lecture regard shall be had to the amount of profit made by the infringer by reason of the infringement, and to the amount of actual damage incurred by the owner of the lecturing right.

Notice of objection to title.

41 The plaintiff in an action for the infringement of a right conferred by this Ordinance shall be presumed to be the owner of the right which he claims, unless the defendant in his pleadings in defence pleads that the defendant disputes the title of the plaintiff, and states the grounds on which the plea is founded, and the name of the person, if any, whom the defendant alleges to be the owner of the right.

Limitation of actions (cf. 5-6 Vict., c. 45, s. 26).

42 No action for any infringement of copyright or lecturing right under this Ordinance shall be maintainable unless it is commenced within two years next after the infringement is committed.

Property in pirated books or artistic work.

43 All pirated books and all pirated artistic works shall be deemed to be the property of the owner of the copyright in the book or work, and may, together with the plates, blocks, stone, matrix, negative, or thing, if any, from which they are printed or made, be recovered by him by action or other lawful method.

Penalties for dealing with pirated books.

44 If any person—

(a) Sells, or lets for hire, or exposes, offers, or keeps for sale or hire, any pirated book or any pirated artistic work; or

(b) Distributes, or exhibits in public, any pirated book or any pirated artistic work; or



(c) Imports into Ceylon any pirated book or any pirated artistic work ;

he shall be guilty of an offence against this Ordinance, and shall be liable to a penalty not exceeding fifty rupees for each copy of such pirated book or pirated artistic work dealt with in contravention of this section, and also to forfeit to the owner of the copyright every such copy so dealt with, and also to forfeit the plates, blocks, stone, matrix, negative, or thing, if any, from which the pirated book or pirated artistic work was printed or made.

Provided that the whole penalties inflicted on any one offender in respect of the same transaction shall not exceed five hundred rupees.

Provided also that no person shall be convicted of an offence under this section if he proves to the satisfaction of the court at the hearing that he did not know, and could not, with reasonable care, have ascertained that the book was a pirated book or the work was a pirated artistic work.

Search warrant  
and seizure of  
pirated copies.

45 (1) A Police Magistrate may, upon the application of the owner of the copyright in any book or in any artistic work or of the agent of such owner appointed in writing—

(a) If satisfied by evidence that there is reasonable ground for believing that pirated books or pirated artistic works are being sold or offered for sale, issue a warrant, in accordance with the form prescribed, authorizing any police officer to seize the pirated books or pirated artistic works and to bring them before the court.

(b) If satisfied by evidence that there is reasonable ground for believing that pirated books or pirated artistic works are to be found in any house, shop, or other place, issue a warrant, in accordance with the form prescribed, authorizing any police officer to search between sunrise and sunset the place where the pirated books or pirated artistic works are supposed to be, and to seize and bring them or any books or artistic works reasonably suspected to be pirated books or pirated artistic works before the court.

(2) The court may, on proof that any books or artistic work brought before it in pursuance of this section are pirated books or pirated artistic works, order them to be destroyed or to be delivered up, subject to such conditions, if any, as the court thinks fit, to the owner of the copyright in the book or artistic work.

Power of owner  
of copyright to  
require delivery  
to him of  
pirated books  
and works.

46 (1) The owner of the copyright in any book or artistic work, or the agent of such owner appointed in writing, may by notice, in accordance with the prescribed form, require any person to deliver up to him any pirated production of the book or work, and every person to whom such notice has been given, and who has any pirated reproduction of the book or work in his possession or power, shall deliver up the pirated reproduction of the book or work in accordance with the notice, and in default of doing so shall be liable to a fine of hundred rupees.

(2) A person shall not give any notice in accordance with this section without just cause, and any person so giving notice shall be liable to a fine of two hundred rupees.

(3) In any prosecution under sub-section (2) of this section the defendant shall be deemed to have given the notice without just cause, unless he proves to the satisfaction of the court at the hearing that at the time of giving the notice he was the owner of the copyright in the book or artistic work or was the agent of such owner appointed in writing, and had reasonable ground to believe that the person to whom the notice was given had pirated reproductions of the book or work in his possession or power.

Penalty for false representations in notices.

47 Any person who in any notice given in pursuance of this Ordinance makes a representation which is false in fact, and which he knows to be false or does not believe to be true that he is—

- (a) The owner of the copyright in any book or artistic work ; or
- (b) The agent of any such owner ;

shall be guilty of an offence against this Ordinance, and shall be liable to six months imprisonment of either description.

Request to police to seize pirated books and works.

48 (1) The owner of the copyright in any book or artistic work or the agent of such owner appointed in writing may, in accordance with the prescribed form, request that any pirated reproductions of the book or work be seized by the police, and may lodge the request at any police station.

(2) Any police officer in the town or district in which the police station is situated may, at any time in the daytime within seven days after the request was so lodged, seize all pirated reproductions of the book or work mentioned in the notice, and all reproductions of the book or work which he has reasonable ground to believe are pirated reproductions, found by him in the possession of any person other than the owner of the copyright in the book or work.

(3) Every police officer who seizes any books or works in pursuance of this section shall forthwith bring all such books or works before a Police Court.

(4) A Police Court may, on the application of any person interested, make such order for the disposal of the books or works as it thinks just.

(5) Any person who shall lodge any request at any police station in accordance with this section without just cause shall be guilty of an offence, and liable to a fine of two hundred rupees.

(6) In any prosecution under sub-section (5) of this section the defendant shall be deemed to have lodged the request without just cause, unless he proves to the satisfaction of the court at the hearing that at the time of lodging the request he was the owner of the copyright in the book or artistic work, or was the agent of such owner appointed in writing, and had reasonable ground to believe that pirated reproductions of the book or work were being unlawfully sold, or let for hire, or exposed, or offered, or kept for sale or hire, or distributed, or exhibited in public, in the town or district in which the police station is situated.

Application of penalties.

49 Where proceedings for any penalty under this Ordinance are instituted by the owner of the copyright in any book or in any artistic work or by the owner of the artistic work, the penalty shall be paid to him by way of compensation for the injury he has sustained.

Aiders and abettors.

50 Whoever aids, abets, counsels, or procures, or by act or omission is in any way, directly or indirectly, knowingly concerned in the commission of any offence against this Ordinance shall be deemed to have committed that offence, and shall be punishable accordingly.

Limitation of actions.

51 Proceedings may be instituted in any Police Court for the recovery of any penalty under this Ordinance, but no such proceedings shall be instituted after the expiration of six months from the date of the offence in respect of which the penalty is imposed.

Appeal.

52 An appeal shall lie to the Supreme Court from any conviction or order (including any dismissal of any information, complaint, or application) of a Police Court, exercising jurisdiction with respect to any offence or matter under this Ordinance to the court and in the manner and time provided by chapter XXX. of "The Criminal Procedure Code, 1898."

Importation of pirated works.	<p>53 (1) The following goods are prohibited to be imported :</p> <p>(a) All pirated books in which copyright is subsisting in Ceylon ; and</p> <p>(b) All pirated artistic works in which copyright is subsisting in Ceylon.</p> <p>(2) All pirated books and pirated artistic works imported into Ceylon contrary to this section shall be forfeited and may be seized by any officer of customs.</p> <p>(3) Subject to this Ordinance, the provisions of the Ordinance No. 17 of 1869 shall apply to the seizure and forfeiture of pirated books and artistic works under this section to the same extent as if they were prohibited imports under that Ordinance.</p> <p>(4) The provisions of this section shall not apply to any book or artistic work unless the owner of the copyright therein or his agent has given written notice to the Colonial Secretary of the existence of the copyright and of his term.</p> <p>(5) A notice given to the Commissioners of Customs of the United Kingdom by the owner of the copyright or his agent of the existence of the copyright in a book or artistic work and of its term and communicated by the said Commissioners to the Colonial Secretary shall be deemed to have been given by the owner to the Colonial Secretary.</p>
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## PART VI.—REGISTRATION OF COPYRIGHTS.

Copyright registers.	<p>54 The following registers of copyrights shall be kept by the Registrar at the copyright office :—</p> <p>The Register of Literary Copyrights. The Register of Fine Arts Copyrights.</p>
Method of registration.	<p>55 The owner of any copyright or lecturing right under this Ordinance may obtain registration of his right in the manner prescribed.</p>
Registration of assignments and transmissions.	<p>56 When any person becomes entitled to any copyright or lecturing right under this Ordinance by virtue of any assignment or transmission, or to any interest therein by license, he may obtain registration of the assignment, transmission, or license in the manner prescribed.</p>
How registration effected.	<p>57 The registration of any copyright or lecturing right under this Ordinance, or of any assignment or transmission thereof or of any interest therein by license, shall be effected by entering in the proper register the prescribed particulars relating to the right, assignment, transmission, or license.</p>
Trusts not registered.	<p>58 (1) No notice of any trust expressed, implied, or constructive shall be entered in any register of copyrights under this Ordinance or be receivable by the Registrar.</p> <p>(2) Subject to this section, equities in respect of any copyright or lecturing right under this Ordinance may be enforced in the same manner as equities in respect of other property.</p>
Register to be evidence.	<p>59 Every register of copyrights under this Ordinance shall be <i>primâ facie</i> evidence of the particulars entered therein, and documents purporting to be copies of any entry therein or extracts therefrom certified by the Registrar and sealed with the seal of the copyrights office shall be admissible in evidence in all courts without further proof or production of the originals.</p>
Certified copies.	<p>60 Certified copies of entries in any register under this Ordinance or of extracts therefrom shall, on payment of the prescribed fee, be given to any person applying for them.</p>
Inspection of register.	<p>61 Each register under this Ordinance shall be open to public inspection at all convenient times on payment of the prescribed fee.</p>

Correction of register.

62 The Registrar may, in prescribed cases and subject to the prescribed conditions, amend or alter any register under this Ordinance by—

- (a) Correcting any error in any name, address, or particular; and
- (b) Entering any prescribed memorandum or particular relating to copyright or other right under this Ordinance.

Rectification of register by the court.

63 (1) Subject to this Ordinance, the District Court of Colombo may, on the application of the Registrar or of any person aggrieved, order the rectification of any register under this Ordinance by—

- (a) The making of any entry wrongly omitted to be made in the register; or
- (b) The expunging of any entry wrongly made in or remaining on the register; or
- (c) The correction of any error or defect in the register.

(2) An appeal shall lie to the Supreme Court from any order for the rectification of any register made by the District Court under this section.

Owner cannot sue before registration.

64 (1) The owner of any copyright under this Ordinance or of any interest therein by the license shall not be entitled to bring any action or suit or institute any proceedings for any infringement of the copyright, unless such right or interest has been registered in pursuance of this Ordinance.

(2) When such right or interest has been registered the owner thereof may, subject to this Ordinance, bring actions or suits or institute proceedings for infringements of the copyright, whether those infringements happened before or after the registration.

(3) This section shall not affect the right of the owner of the lecturing right in a lecture to bring actions or suits or institute proceedings for infringements of his lecturing right.

Delivery of books to Registrar.

65 (1) Every person applying for the registration of the copyright in any book to which the provisions of Ordinance No. 1 of 1885 are applicable shall produce to the Registrar the receipt given by the appointed officer under section 2 of the said Ordinance for the copies of the book delivered in accordance with the requirements of the said Ordinance.

(2) Every person applying for the registration of the copyright in any work of art shall deliver to the Registrar one copy of the work of art or a photograph of it.

(3) The Registrar shall refuse to register the copyright in any book or work of art until sub-sections (1) and (2) of this section have been complied with.

False representation to Registrar (Patents Act, 1903, s. 112).

66 Any person who shall wilfully make any false statement or representation to deceive the Registrar or any officer in the execution of this Ordinance, or to procure or influence the doing or omission of anything in relation to this Ordinance or any matter thereunder, shall be guilty of an offence, and liable to two years' imprisonment of either description.

#### PART VII.—MISCELLANEOUS.

Provision against suppression of books.

67 If the Governor is satisfied that the owner of the copyright in any book or of the lecturing right in any lecture has refused, after the death of the author, to republish or allow republication of the book, or the publication as a book of the lecture, and that by reason thereof the book or lecture is withheld from the public, he may grant any person applying for it a license to republish the book or to publish the lecture as a book in such manner and subject to such conditions as to the Governor seem fit.

Power to award costs.

68 In any action or proceeding taken in any court under this Ordinance the court shall have power to award cost at its discretion.

Regulations.

69. The Governor, with the advice of the Executive Council, may from time to time make, and when made revoke, amend, alter, or vary, such regulations not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for giving effect to this Ordinance or for the conduct of any business relating to the copyrights office.

By His Excellency's command,

HUGH CLIFFORD,  
Colonial Secretary.

Colonial Secretary's Office,  
Colombo, September 5, 1907.

*Statement of Objects and Reasons.*

THE object of the Draft Ordinance is to provide for the registration of copyright in literary and artistic works published in Ceylon so as to give them protection similar to that afforded by the Imperial Copyright Acts.

2. The definition of the word "book" in the Draft Ordinance includes any volume and any part or division of a volume, any article in a volume and pamphlet, periodical, sheet of letterpress, map, chart, diagram, or plan separately published, and any illustration therein.

3. The definition of the term "artistic work" includes any painting, drawing, or sculpture, and any engraving, etching, print, lithograph, woodcut, photograph, or other work of art produced by any process, mechanical or otherwise, by which impressions or representations of works of art can be taken or multiplied.

4. Registration of copyright is effected by means of an entry in the register made in accordance with rules made under the Ordinance. Upon registration of a book the Ordinance requires the applicant to produce to the Registrar-General the receipt given by the officer appointed under the Ordinance No. 1 of 1885 for the copies of the book delivered in accordance with the requirements of that Ordinance. In the case of works of art the applicant is required to deliver to the Registrar-General a copy or photograph of the work of art.

5. Provision is made for the assignment of copyright.

6. Jurisdiction in civil matters arising under the Ordinance is given to the District Court of Colombo.

7. The Draft Ordinance is an adaptation of the Australian Commonwealth Act relating to Copyright.

Colombo, August 21, 1907.

WALTER PEREIRA,  
Acting Attorney-General.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the District of Kegalla is now holding at the Court-house at Kandy from Thursday, August 15, 1907, at 11 o'clock of the morning of the said day. And I do hereby require and inform all persons concerned therein to attend when summoned at the place above-mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Ratnapura, August 30, 1907.

R. B. HELTINGS,  
Fiscal.

B 3

## NOTICES OF FISCALS' SALES.

## Western Province.

In the Court of Requests of Colombo.

M. C. S. Abdul Majeed of Messenger street, Colombo.....Plaintiff.  
No. 518. Vs.

M. L. M. Shareef of No. 176B, School lane, Dematagoda, Colombo.....Defendant.

NOTICE is hereby given that, on Tuesday, October 1, 1907, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 265, with legal interest thereon from May 6, 1906, till payment in full, and costs of suit Rs. 36.25, viz. :—

At 3 P.M.

1. All that undivided one-fourth part or share of the land and premises bearing assessment No. 161, now bearing No. 18/102, situated at School lane, Dematagoda, Colombo; bounded on the north by the property of Rasa Marikar Uduma Lebbe Marikar, on the east by the property of David, now the property of Sampayo, on the south by the property of Manine Lebbe, and on the west by the road; containing in extent  $1\frac{1}{4}$  square perch more or less.

At 3.30 P.M.

2. All that undivided one-fourth part or share of the land and premises bearing assessment No. 176, situated at School lane, Dematagoda, as aforesaid; bounded on the north by the property of Singhoni Fernando, on the east by road, on the south by the property of Cader Lebbe, and on the west by the property of Anna Meeanna Nagoor Meera; containing in extent 4 square perches more or less.

H. TIRUVILANGAM,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, September 4, 1907.

In the District Court of Colombo.

Gorakanegge John Marsalis Silva of Bambalapitiya, Colombo, deceased.....Plaintiff.  
Gorakanegge Johannes Silva, executor of the last will and testament of the deceased plaintiff.....Substituted Plaintiff.

No. 19,202 C. Vs.

(1) Leisa Ryman, (2) Carlina Ryman, (3) K. R. Perera, and (4) Isabella Perera, all of Woodapple Cottage, Bambalapitiya, Colombo.....Defendants.

NOTICE is hereby given that on Monday, September 30, 1907, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the 1st and 2nd defendants in the following property, for the recovery of the sum of Rs. 1,748.30, with interest at 9 per cent. per annum from October 4, 1902, till payment in full, viz. :—

An undivided  $\frac{1}{4}$  of  $\frac{41}{144}$  part of a garden, situated and lying at Kollupitiya, within the Municipality of Colombo, in the District of Colombo, Western Province; bounded on the north by the garden of Apolonia Albert, Hendrick Silva, Waganchie Kangany, Catcho, and Abancho, on the east by the cinnamon garden, on the south by the other part, and on the west by the high road; containing in extent 8 acres 3 roods and 23  $\frac{63}{100}$  square perches.

H. TIRUVILANGAM,  
Deputy Fiscal.  
Fiscal's Office,  
Colombo, September 4, 1907.

In the District Court of Colombo.

(1) P. R. P. L. R. M. Ramon Chetty, (2) P. R. V. R. Thenappa Chetty, both of Sea street, Colombo, now in India.....Plaintiffs.  
No. 23,834. Vs.

(1) Canawelage William Fernando and (2) Ranawennage Cecilia Fernando, both of Ragama.....Defendants.

NOTICE is hereby given that on Friday, September 27, 1907, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property, for the recovery of the sum of Rs. 360 and costs, viz. :—

All that house and premises bearing assessment No. 27, situated at Muhandiram's lane, within the Municipality of Colombo; and bounded on the north by the park belonging to the Municipality, on the south by house bearing assessment No. 26 belonging to 1st defendant, on the east by Muhandiram's lane, and on the west by the park belonging to Municipality; containing in extent 20 perches more or less.

H. TIRUVILANGAM,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, September 4, 1907.

In the District Court of Negombo.

Horatalpedige Jayetuwa of Horempella...  
No. 6,519. vs.

(1) Nuwarapassepedige Pinsetu, (2) Nuwarapassepedige Rana, (3) Nuwarapassepedige Siyattuwa, (4) Nuwarapassepedige Gaweriya, (5) Nuwarapassepedige Podiya, (6) Nuwarapassepedige Andiya, all of Wegowwe.....Defendants.

NOTICE is hereby given that on October 5, 1907, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged by bond No. 5,862 dated August 22, 1903, and declared liable to be sold by the decree entered in the above case, viz. :—

1. The undivided  $\frac{9}{12}$  of  $\frac{1}{4}$  of the land called Bulugahawatta, situate at Wegowwe in the Dasiya pattu of Alutkuru korale; the said land being bounded on the north by the land belonging to Tambiya and by the land belonging to Pinsetu and others, on the east by the land belonging to Menika and Jambuwa, on the south by the fields, and on the west by the lands belonging to Sinhalapedige Baiya and others; containing in extent 3 acres more or less within the said boundaries.

2. The undivided  $\frac{9}{12}$  of  $\frac{1}{4}$  of the field called Walakumbura, situate at ditto; and bounded on the north by the boundary ridge of the field belonging to Gaweria, on the east by the field belonging to Mr. James, conductor, on the south by the high land and by the field belonging to Tambiya and others, and on the west by the field of Arumi and by the boundary ridge of the field belonging to Gaweria; containing within the said boundaries 3 parrahs of paddy sowing more or less.

3. The undivided  $\frac{9}{12}$  of the land called Kahata-gahawatta, situate at ditto; bounded on the north by the Crown jungle, on the east by the high road, on the south by the land belonging to Jayakodiarachchige Don Juan Gurunnanse, and on the west by the fields; containing within the said boundaries 2 acres more or less.

4. The undivided  $\frac{1}{2}$  of the land called Bulugahawatta, situate at ditto; bounded on the north by the land belonging to Mr. James and others, on the east by the land belonging to Malinduwa and others, on the south by the fields, and on the west by the lands belonging to Bajuwa and others; containing within the said boundaries  $3\frac{1}{2}$  acres or less.

5. The undivided  $\frac{1}{2}$  of the land called Delgahawatta (exclusive of a portion of 1 acre in extent) and all the appurtenances thereof, situate at ditto; the said land being bounded on the north by the land belonging to Malkekula and others, on the east by the high road, on the south by the portion of this land belonging to Andiya Vidane and others, and on the west by the field; containing within the said boundaries  $3\frac{1}{2}$  acres more or less.

6. The undivided  $\frac{1}{2}$  of the land called Millagahaland, situate at ditto; bounded on the north by the fields, on the east by the lands belonging to Tambiya and others, on the south by the lands belonging to Migel Fernando, and on the west also by the lands belonging to Tambiya and others; containing in extent within the said boundaries  $9\frac{1}{2}$  acres more or less.

Amount to be levied Rs. 1,082.35 $\frac{1}{2}$  with interest on Rs. 907.73 at 9 per cent. per annum from October 11, 1906, till payment.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, September 3, 1907.

In the District Court of Colombo.

Eliza Morgan of Fern Cliff, Kandy, widow  
of the late Owen Morgan ..... Plaintiff.

No. C/ 24,722. Vs.

(1) K. W. Josephine Elizabeth Fernando  
and (2) K. N. John Nicholas Fernando,  
both of No. 5, Grand street, Negombo,  
but presently of No. 107, Modara ferry,  
Mutwal, Colombo ..... Defendants.

NOTICE is hereby given that on September 30, 1907, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property, specially ordered to be sold by order of District Court of Colombo. dated May 21, 1907, viz. :—

All that house and ground situated and lying between Main street and Mudaliyar's street in Cota Campoe within the gravets of Negombo, Western Province, and bearing assessment No. 364, Main street; and bounded on the north-east by the property of Weerasingha Caitan Fernando, on the south-east by the Mudaliyar's street or road, on the south-west by the property of Weerasinha Marthelis Fernando, and on the north-west by the Main street; containing in extent 20 and  $\frac{4}{100}$  square perches more or less.

Amount to be levied Rs. 3,289.87 $\frac{1}{2}$  with interest on Rs. 3,000 at 9 per cent. per annum from February 26 to May 3, 1907, and thereafter on the aggregate amount of the decree at the said rate till payment in full.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, September 3, 1907.

### Central Province.

In the District Court of Kandy.

M. Carolis Peeris of Trincomalee street,  
No. 155, Bakery, Matale ..... Plaintiff.

No. 18,265. Vs.

Dullawe Walawwe Punchi Bandar of  
Ehelapola in Pallesiya pattu of Udu-  
goda korale, Matale North ..... Defendant.

NOTICE is hereby given that on October 2, 1907, commencing at 12 noon, will be sold by public auction at the premises, the right, title, and interest of the defendant in and to the following land, to wit :—

All those allotments of land called Walawwawatta, Bangalawawatta, and the paddy field Gorokgahawela, all adjoining each other and forming one property, containing in extent 30 acres more or less, with everything thereon, situate at Paldeniya in Udugoda Udasiya pattu of Matale; and bounded on the east by the boundary of new clearing appertaining to Thamarawallie estate, south by the fence of the property of the late Dullawe Adigar, west by Galewela road, and on the north by limit of Bastian Silva.

Amount of writ Rs. 883.39 and interest.

A. V. WOUTERSZ,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, September 4, 1907.

### Northern Province.

In the District Court of Jaffna.

(1) Vairamuttu Sapapathypillai of  
Colombuturai, (2) Mailvaganam  
Sivaguru of Colombuturai ..... Plaintiffs.

No. 4,877. Vs.

Sayampunathar Veluppillai Chellaturai  
of Vannarponnai East ..... Defendant.

NOTICE is hereby given that on Friday, October 4, 1907, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, for the recovery of Rs. 1,142.50 and costs of suit being Rs. 112.53, minus Rs. 300 recovered by the plaintiff, and charges, viz. :—

In an undivided one-third share of the house and premises with the well and other appurtenances belonging thereto, situated on the Main street at Karaiur in the Jaffna town, containing or reputed to contain in extent 8 lachams of varagu culture; bounded or reputed to be bounded on the east by road, north by the property of Cecil Helina, wife of Aseervatham, west by the property of Emily Thangan, widow of Arunasalam, and south by Main street.

V. THAMBIPILLAI,  
Deputy Fiscal.

Fiscal's Office,  
Jaffna, August 31, 1907.

## Southern Province.

In the District Court of Tangalla.

Tuwan Jaya Kusuma Mutaliph of  
Hambantota ..... Plaintiff.

No. 661. Vs.

(1) Baba Sayip Mutaliph, (2) Rahaman  
Doolo, (3) Noordin Bahaman, (4)  
Nona Bahaman, (5) Careem Usuph,  
all of Hambantota. .... Defendants.

NOTICE is hereby given that on Saturday,  
September 28, 1907, at 2 o'clock in the after-  
noon, will be sold by public auction at the Deputy  
Fiscal's Office, Hambantota, the following mortgaged  
property, for the recovery of Rs. 1,971.46, with interest  
on Rs. 1,750 at 9 per cent. per annum from January  
30, 1903, viz. :—

87½ acres of the land called PUNCHIHENAYAGAMA,  
situate at Koggalla in Magam pattu of the Hamban-  
tota District; bounded on the north by Mayilatti-  
gala, east by Kawainwala, south by Koggalutota,  
and west by Hawarumunge and Walawe river.

L. W. C. SCHRADER,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Hambantota, August 30, 1907.

## Eastern Province.

In the District Court of Batticaloa.

K. V. Markandu of Puliyantivu ..... Plaintiff.

No. 2,728. Vs.

Sinnar Sinnatampy of Tambiluvil ..... Defendant.

NOTICE is hereby given that on the dates, days,  
and hours mentioned herein below will be sold  
by public auction at the premises the right, title,  
and interest of the said defendant in the following  
properties, viz. :—

On Saturday, October 12, 1907, at 10 A.M.

A coconut garden belonging to the defendant and  
situated at Tambiluvil in Akkarapattu, in the District  
of Batticaloa, Eastern Province; and bounded on  
the north, south, and west by the coconut estates of  
K. V. Markandupillay, and on the east by seashore;  
in extent 3 acres and odd with house, coconut trees,  
and other produce.

On Monday, October 14, 1907, at 10 A.M.

A paddy field called Pallavelly, situated at Pana-  
mai in Panama pattu; and bounded on the north by  
the field called Pattypodyavayal and the land belong-  
ing to the plaintiff, on the south by Mullikkaddu, on  
the east by Kamanodai and Crown jungle, and on the  
west by Mullivaikal and Crown land; in extent more  
or less 30 amunams sowing with all outlet and inlet  
water rights.

Amount to be levied Rs. 703.89, with interest on  
Rs. 609.37 at 9 per cent. per annum from October 18,  
1906, till recovery.

T. SINNATAMBY,  
Deputy Fiscal.

Fiscal's Office,  
Batticaloa, August 26, 1907.

## North-Western Province.

In the District Court of Negombo.

Sina Ana Runa Sidambalam Chetty, by  
his Attorney Sina Ana Runa Arumu-  
gam Pulle of Negombo ..... Plaintiff.

No. 6,426. Vs.

Samarapperuma Arachehige Velun  
Sinno Appuhamy of Metikotuwa ..... Defendant.

NOTICE is hereby given that on Monday, October  
7, 1907, commencing at 10 o'clock in the  
forenoon, will be sold by public auction at the pre-  
mises the right, title, and interest of the said defend-  
ant in the following property, specially mortgaged  
with the plaintiff by mortgage bond No. 14,542, dated  
27th January, 1902, viz. :—

(1) The undivided 1/12 of the land called Divul-  
gahawatta, situated at Haldanduwana in Otara-  
palata, Chilaw District; the said land being bounded  
on the north by the land belonging to the Crown, east  
by the lands belonging to Ranhamy Appuhamy  
and others, south by the field belonging to Baba  
Sinno Appuhamy and others, and west by the garden  
belonging to Undiarala; containing in extent about  
8 acres.

(2) The portion of 4 parras of paddy sowing  
extent adjoining the eastern boundary of the field  
called Dombagahakumbura, situated at Kahatawila;  
the entire field being bounded on the north by the  
boundary ridge of the field belonging to Samel Appu  
and Naburata, east by the boundary ridge of Hewa-  
wasam Panguwekumbura, south by the boundary ridge  
of the field belonging to Namburata and others, and  
west by Siyambalagahawatta belonging to Sinappu-  
hamy Vel-Vidane and others; containing about 27½  
parras of paddy sowing extent.

(3) The undivided one-half of the land called The-  
lambugahawatta, situated at Haldanduwana; the  
said land being bounded on the north by the ditch  
separating the land belonging to Menik Etana and  
others, east also by the field belonging to Menik  
Etana aforesaid, south by Thalagahawatta *alias*  
Ambagahawatta belonging to Hatan Hamy, Ran  
Hamy Appuhamy, and others, and west by the land  
belonging to Mudalihamy and others and by the land  
belonging to Baba Sinno Appuhamy; containing in  
extent about 3 acres 3 roods and 14 perches.

(4) The undivided one-sixth share of the land called  
Ambagahawatta, situated at Haldanduwana; the  
entire land being bounded on the north by the garden  
which belonged to Ranhamy Appuhamy and now  
belonging to Kuda Etana, east by the land belonging  
to Juanis Appu and others, south by the ditch of the  
land of Appuhamy, and west by the fields; containing  
in extent about 1½ acre.

(5) The undivided 2/5 of Meegahakumburakebella,  
situated at Haldanduwana; the said field being  
bounded on the north by the high land belonging to  
Kiri Etana and others, east by the inniyara of the field  
belonging to Davith Appu and others, south by the  
inniyara of the field belonging to Baronchi Appu and  
others, and west by the inniyara of the field belonging  
to Punchappu and others; containing about 2 bushels  
of paddy sowing extent.

(6) The undivided 1/7 share of the field called  
Horagahawewa *alias* Mahawewa, excluding 2 parras  
of paddy sowing extent, contiguous to the south-  
eastern boundary, situated at Haldanduwana; the  
said land being bounded on the north by Godakele,  
east by Horagahakumbura belonging to Mudalihamy,  
deceased, south by the inniyara of Godakumbura  
belonging to Kapuruhamy, deceased, and west by  
Wekanda; containing about 15 bushels of paddy  
sowing extent.



(7) The undivided one-half of the high-field called Dematapitiya, situated at Haldanduwana; the said field being bounded on the north by the fence of Mahawela, east by the field belonging to Kapurhamy, deceased, and others, south by the fence of the garden belonging to Peris Appuhamy, and west by Pinkumbura; containing about 10 pecks of paddy sowing extent.

(8) The undivided one-half of the land Divulgahawatta, situated at Haldanduwana; the said land being bounded on the north by the land now belonging to Baba Sinno Appuhamy, east by also Thalghahawatta *alias* Ambagahawatta belonging to the same person and by the garden belonging to Davith Appuhamy, south by the field belonging to Nonchohamy and others, and west also by the garden belonging to her; containing about 1 bushel and 2 pecks of kurakkan sowing extent.

(9) The undivided one-half of Mahaweledakumbura, situated at Haldanduwana; the said field being bounded on the north by the inniyara of the field of Davith Appuhamy, east by the inniyara of the field of Nonchohamy, south by the inniyara of the field of Punchappu, and west by the inniyara of the field of Wāhampura Salma; containing about 2 bushels and 2 pecks of paddy sowing extent.

(10) The allotment of land called Ranmalwalakele, situated at Haldanduwana; the said allotment of land being bounded on the north by the live fence separating an allotment of this whole land belonging to Sirimanis Appuhamy Vedarala and another, east by Kongahawatta belonging to Abilino Appu and others, south by Kongahawatta belonging to Ranhamy and others and Thelambughawatta claimed by Don Francisku and others, and west by the live fence separating the remaining allotment of this land belonging to Sirimanis Appuhamy Vedarala and another; containing in extent about 1 acre.

(11) The land called Kongahawatta Ihatta, situated at Haldanduwana; and bounded on the north by the strip of ground reserved for a road, east by the land appearing in plan No. 153,907, south by a road, by Kongahawatta claimed by Yapahamillagey Appuhamy, by Ambagahawatta which had been claimed by R. Sinnappuhamy, by Kosgahawatta claimed by T. Davith Appu Vel-Vidane, and next by the land appearing in plan 153,905; containing in extent 2 acres and 20 perches.

Amount to be levied Rs. 2,277.50, with interest thereon at 9 per cent. per annum from July 26, 1906, and poundage.

E. LAWSON KOCH,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Chilaw, August 29, 1907.

### Province of Sabaragamuwa.

In the District Court of Kalutara.

Sena Wappusa Marikar of Kalutara . . . . . Plaintiff.  
No. 3,327. Vs.

Ana Mana Yunusoo Lebbe of Deenagoda in Beruwala, guardian *ad litem* over the lunatic defendant Seyna Casim Lebbe Marikar Mohamiadu Lebbe Marikar . . . . . Defendant.

NOTICE is hereby given that on Saturday, September 28, 1907, at 11 o'clock in the forenoon, will be sold by public auction at the premises the following property, mortgaged with the plaintiff by

bond No. 4,138, dated September 16, 1906, and attested by M. C. P. Gunawardana and decreed to be sold by the decree entered in the above case, for the recovery of Rs. 9,795, with further interest on Rs. 5,000 at 12 per cent. from September 15, 1906, till date of decree, and thereafter at 9 per cent. till payment in full, and the aggregate interest not to exceed the principal.

All that tea estate called and known as Talawitiya estate, situate in Kuruwita korale and Panawal korale in Ratnapura and Kegalla Districts, respectively, comprising the following allotments of land, now forming one property, to wit:—

(a) All those contiguous lots of land called Ampitiyedeniya, Polwattedeniya, Polwatta, Galkatuwewattahena, Kalugaldeniyehena, and Tikiripelpola, situate at Talawitiya in Kuruwita korale aforesaid; and bounded on the north by land called Manawattatta and dola, east by land called Uggalkopolehena, south-east by the garden of Kirielle Muhandiram, south by land Ampitiyedeniya and Gedaragawadeniya, south-west by high road, west by Moragahadola and by the property of Sena Kasim Lebbe Marikar Mohammadu Lebbe Marikar; containing in extent 102 acres and 6 perches, excluding therefrom a portion in extent of about 8 acres; bounded on the north by the garden of Baba Naide, east by Banda's land, south by the property of Ana Lebbe, and west by high road.

(b) All that land called Galkapuwatta and Galkotuwehena, situate at Viyalagoda in Kuruwita korale aforesaid; and bounded on the east by a stone fence, south by hena of Egodawatte Mudiyanse, west by Nawala, north by Moragahadola; and is of extent of about 6 pelas paddy sowing.

(c) All that allotment of land called Puwakgahakapola Amuhenkanatta, situate at Viyalagoda aforesaid; and bounded on the east and south by Moragahadolehena, west by hena of Egodawatte Mudiyanse, north by dola; and is of the extent of about one amunam of paddy sowing.

(d) Land called Galkotuwewatta, situate at Viyalagoda aforesaid; and bounded on the east by a stone fence and Galkotuwewatta, south by Tambugaloda, west by hena of Galadolage, north by Mahadola and Gallendalayehena; and is of the extent of one amunam of paddy sowing.

(e) Lands called Puwakgahakapuruhena and Nana-walagawahena, situate at Viyalagoda aforesaid; and bounded on the east by the property of Galladdalage and Horagahadola, south by hena of Galladdalage, west by Elegala and Inditiwetiya, north by Moragahadola; and is of the extent of six pelas paddy sowing.

(f) Land called Pituvelehena, situate at Eheliyagoda in Panawal korale in Kegalla District; and bounded on the east by Mahadeniyehena and Maladola, south by Tikiripelpolahena, west by Moragahadolehena and Maharagamagehena, north by Moragahadolehena; and is of the extent of two amunams of paddy sowing.

(g) A portion of Maharagamagehenedola, situate at Mahara in Panawal korale aforesaid; and bounded on the east by Pettara, south by Moragahadolehena, west and north by Moragahadola; in extent two acres paddy sowing.

(h) All that land called Eheliyagodakanda, situate at Kendangomuwapahala in Kuruwita korale aforesaid; and bounded on the east by Kadirandola, south by Buluwehena stone fence and Palliyakandeydola, west by Godelledolehena, north by Panwala village limit excluding the hena belonging to others, &c., of the extent of 25 amunams of paddy sowing.

R. E. D. ABEYRATNE,  
Fiscal's Office, Deputy Fiscal.  
Ratnapura, September 3, 1907.

In the District Court of Kegalla.

The City Property Investment Trust Corporation, Limited (Limited Company having its registered office in Scotland) ..... Plaintiffs.

No. 2,140. Vs.

(1) The Kellie (Ceylon) Tea Plantation Company, Limited (a limited company having its registered office at No. 17, Philpot lane, London, E. C.);  
(2) Patrick William Gordon Spence of No. 17, Philpot lane, London, E. C.;  
(3) John Troutbeck of Phillimore House, Dean's yard, Westminster, London ..... Defendants.

NOTICE is hereby given that on Saturday, September 28, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following property, for the recovery of Rs. 99,450, with legal interest thereon from July 31, 1907, till payment and poundage, viz.:-

All that and those the group of estates known as the Kellie or Fairlie Group, formerly known as Fairlie and Moorootie Group or otherwise the Kellie Group, consisting of—

(1) All that tract of land being a portion of Moorootie, situate and lying in Lower Bulatgama in the District of Kegalla; bounded on the north, east, and south by land applied for by Messrs. Ritchie & Company, and on the west by the same and Crown land; containing in extent 724 acres 3 roods and 30 perches.

(2) All that part or portion of Penylan estate, situate on the north-east side of Kellie estate; and which said part or portion is bounded on the north, west, and east by the other portion of the said Penylan estate, and on the south and west by Kellie estate; containing in extent 63 acres and 1 rood.

(3) All that estate called Hormusjie and Ga'pha, situate, lying, and being in Lower Bulatgama aforesaid; bounded on the north by Hingurugalakanda, east and south by land applied for by Messrs. Ritchie & Company, and on the west by Crown land and the property of Mr. Butler; containing in extent 829 acres 3 roods and 30 perches.

(4) All that estate called and known as Moorootie estate in the Four Korales, distant from the high road leading from Colombo to Kandy about 12 miles and from Colombo about 66 miles; and bounded or reputed to be bounded on the north by the Crown property, east by patanas, claimed lands, and the property of or under the management of Wilson, Ritchie & Company, on the south by property of William Robertson, and on the west by Kukulpitagala and lands claimed by people of Ganatenna; containing or reputed to contain in extent 1,073 acres and 39 81/100 perches (excluding however therefrom the following portions to wit: all that portion, to wit, 146 acres and 2 roods, sold and transferred by James Kennedy to Thomas Reive Tucker by a deed dated July 4, 1860; all that portion in extent 365 acres sold and transferred by the said James Kennedy to James Howie, William Rollo, and Alexander Young by a deed dated January 17, 1861; all that portion in extent 56 acres 2 roods and 24 perches transferred to James Blackett by a deed dated February 8, 1871.

*Buildings.*

One large bungalow, stone and lime, shingle roof finished.

Four small bungalows, stone and lime, shingle roof permanent, and line accommodation for 600 to 700 coolies, generally permanent.

The factory buildings and premises, plant.

One 10-horse power engine and one 12-horse power boiler.

One "Excelsior" roller.

One "Economic" roller.

One large sized roller (rapid).

One Sirocco dryer.

Three Brown's dessicators.

One rolled leaf sifter.

One Brown's Rees sifter.

One cutter.

One rope shoot for fuel to factory.

One 16-ft. water wheel with wooden buckets,  
One 30-ft. water wheel with 2-ft. iron buckets.

All water rights.

Live and dead stock, plant, machinery, tools, fittings, and effects in and about the said several estates respectively, together with all the buildings, stores, machinery, fixtures, furniture, tools, implements, cattle, and other the dead and live stock, crops and produce in or upon the said Kellie or Fairlie Group of estates, or thereto belonging, or in any wise appertaining, or usually held, occupied under, or enjoyed therewith, or reputed to belong or be appertenant thereto; and all the right, title, interest, property, claim, and demand whatsoever of the 1st defendant company in, to, upon, or out of the said Kellie or Fairlie Groups of estates and premises.

E. R. GOONEWARDENE,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kegalla, September 2, 1907.

In the District Court of Kegalla.

Lebbe Marikkar Sekku Marikkar of Maththamagoda ..... Plaintiff.

No. 2,189. Vs.

(1) Miskin Pulawar Abdul Carim, (2) Meera Lebbe Marikkar Ummani Umma, (3) Amala Marikkar Seyar Umma, all of Ruanwella ..... Defendants.

NOTICE is hereby given that on Monday, September 30, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises, the following property mortgaged by the defendants with plaintiff, for the recovery of Rs. 1,214-75, with further interest on Rs. 1,050 at 9 per cent. per annum from January 17, 1907, till payment and poundage, viz.:-

1. The three lands, namely, the land numbered 9,634, Hitinawatta, and the land numbered 9,633, of about 6 acres in extent together with the soil and everything standing thereon including all the houses and buildings standing within the lands godella and owita, situate at Ruanwella; also deniya and Mahaparebodairawella, situate at the same village; all contiguous lands in extent about 15 acres; bounded on the east by the field, south by Ukkurala's garden and the high road, west by the high road, and on the north by the ditch and the Crown land.

And on Tuesday, October 1, 1907, commencing at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the following mortgaged property, viz.:-

2. The field called Godayalagekorawakmulla, situated at Niwunhella of 5 lahas in extent; bounded on the east by the field of Packir Tamby Miskin, south also by the field belonging to Packir Tamby Miskin, west by Murukkuwageliadda, and on the north by Hakurubeddegekumbura.

3. The field called Kambiyagawagodayagekumbura of 2 pelas and 2 lahas in paddy sowing extent, situated at Niwuhella; and bounded on the east by the dry land of Liyanage Appu, south by the limitary ridge of Kambiyagawakumbura, west by Matotallagepaluwatta, and on the north by Goroggahapurana.

And on the same day commencing at 3 P.M., will be sold by public auction at the respective premises the following mortgaged property, viz. :—

4. An undivided half-share, being the land owner's share of the land called Ihalapurana to 2½ amunams in extent, situated at Siyambelawala; bounded on the east by kurakkan garden of Diwunugalpedi, south by Kabargalahena belonging to the

same person and Kanangamagehena, west by Diwunugalpedigepurana, and on the north by kurakkan land of Dikkotuwwewatta belonging to the same person.

5. The soil, together with everything thereon, of the land Dikkotuwwewatta kurakkan garden of 24 measures of kurakkan sowing extent, situated at Siyambelawala; and bounded on the east by Kanangamayalage kurakkan garden, south by deniya of Pakir Tamby Miskin, west by the kurakkan garden near ambalama, and north by kurakkan garden of Diwunugalpedi.

E. R. GOONEWARDENE,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kegalla, September 2, 1907.

### NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Wickrama Karalu Aratchige Benjamin Fernando, late of Hunwella, deceased.

Pattiyage Ernest Marshall of Muhandiram's lane, Pettah, Colombo.....Petitioner.

And

(1) Wickrama Karalu Aratchige Grace Fernando, (2) Wickrama Karalu Aratchige Richard Fernando, (3) Wickrama Karalu Aratchige James Fernando, (4) Wickrama Karalu Aratchige Mortimer Fernando, 2nd, 3rd, and 4th respondents, minors, by their guardian *ad litem* (5) Weligama Vidane Aratchige Carolis Samararatne of Panchikawatta of Colombo.....Respondents.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 9th day of August, 1907, in the presence of Mr. A. E. de Soyza on behalf of Mr. O. A. Jayasekera, Proctor, on the part of the petitioner, dated 9th August, 1907, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as a relative (son-in-law) of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,

The 9th day of August, 1907. District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Hettige Don Louis Wijesinghe, late of Gangodawila in Salpiti korale, deceased.

Hettige Don Solomon Wijesinghe of Gangodawila, in Palle pattu of Salpiti korale.....Petitioner.

And

(1) Hettige Dona Leonora Wijesinghe of Gangodawila aforesaid; (2) Hettige Dona Johanna Wijesinghe and her

husband (3) Don Hendrick de Alvis Goonetillike, both of Paiyagala; (4) Hettige Johannes Wijesinghe; (5) Hettige Don Andris Wijesinghe, both of Gangodawila; (6) Hettige Dona Helena Wijesinghe; (7) Hettige Don Peter Wijesinghe, (8) Hettige Dona Maria Wijesinghe, (9) Hettige Don Wilton Wijesinghe, (10) Hettige Dona Alice Wijesinghe, all of Pepiliyana, by their guardian *ad litem* Dewakaluaratchige Dona Elizabeth of Gangodawila; (11) Hettige Dona Romalhamy Wijesinghe, (12) Hettige Dona Rosaline Wijesinghe, and (13) Hettige Dona Emelia Wijesinghe, all of Wewala of Salpiti korale, by their guardian *ad litem* Mellica-aratchige Dona Helena of Gangodawila.....Respondents.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 15th day of August, 1907, in the presence of Mr. G. L. Cooray, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated 19th day of July, 1907, having been read:

It is ordered that the petitioner be and is hereby declared entitled, as a brother and next of kin of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to him accordingly, unless the respondents above-named or any other person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,

District Judge.

The 15th day of August, 1907.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament and Codicil of Anna Maria Catherine Stork, late of Borella in Colombo, deceased.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 30th day of August, 1907, in the presence of Mr. G. L. Cooray, Proctor, on the part of the petitioner; and the affidavits of (1) the said petitioner dated 9th August, 1907, and (2) Charles Peiris, Notary Public of Colombo, dated 19th August, 1907, having been read:

It is ordered that the will and codicil thereto of Anna Maria Catherine Storck, deceased, dated 6th April, 1905, and 7th November, 1905, be and the same is hereby declared proved, unless any person interested shall, on or before the 26th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Cyril Thomas Austin is the sole executor named in the codicil to the said will, and that he is entitled to have probate of the same issued to him accordingly, unless any person interested shall, on or before the 26th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
District Judge.

The 30th day of August, 1907.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of Srayle Marikar Abdul Majidu, late of No. 2,892. No. 14, Kollupitiya, Colombo, deceased.

Samsi Lebbe Marikar Hadjar Jainambu Natchya of No. 14, Kollupitiya, Colombo ..... Petitioner.

and

(1) Srayle Lebbe Maricar Idroos, (2) Srayle Lebbe Marikar Ahamado Lebbe, (3) Srayle Lebbe Maricar Uduma Lebbe Maricar, (4) Srayle Lebbe Maricar Mohamad Mastan, and (5) Srayle Lebbe Maricar Noor Umma (widow), all of Nos. 11 and 12, Mosque lane, Kollupitiya, Colombo ..... Respondents.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 30th day of August, 1907, in the presence of Mr. A. C. Mohamado, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner dated 26th August, 1907, having been read:

It is ordered that the petitioner be and is hereby declared entitled, as the widow of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents above-named or any other person interested shall, on or before the 12th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
District Judge.

The 30th day of August, 1907.

In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of William Perera Gunetilake, late of Halgampitiya in Veyangoda, deceased.

Wickreme Atchiappuhamillage Dona Albiath Gunetilake Siriwardena of Halgampitiya in Veyangoda ..... Petitioner.

And

(1) Andrew Perera Gunetilake, (2) Ellen Maria Gunetilake, and (3) Peternella Gunetilake, all of Halgampitiya in Veyangoda ..... Respondents.

THIS matter coming on for disposal before Felix R. Dias, Esq., District Judge of Colombo, on the 30th day of August, 1907, in the presence of Mr. John Leopold Perera, Proctor, on the part of the petitioner above-named; and the affidavit of the said petitioner, dated 9th August, 1907, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as the widow of the deceased above-named, to administer the estate of the said deceased, and that letters of administration do issue to her accordingly, unless the respondents above-named or any other person interested shall, on or before the 26th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
District Judge.

The 30th day of August, 1907.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of William Taylor Rule of the Camp, Inverness, Scotland, deceased. No. 2,894.

THIS matter coming on for disposal before Felix Reginald Dias, Esq., on the 31st day of August, 1907, in the presence of F. J. & G. de Saram, Proctors, on the part of the petitioner Alfred John Denison of Colombo; and the affidavit of the said petitioner, dated 20th August, 1907, having been read:

It is ordered that the will of the said William Taylor Rule, deceased, dated 7th July, 1902, an extract whereof under the seal of office of the Commissariat of Inverness is now deposited in this court, be and the same is hereby declared proved, unless any person interested shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Alfred John Denison is the lawful attorney in Ceylon of the proving executors named in the said will, and that he is entitled to have letters of administration with copy of the said will annexed issued to him accordingly, unless any person interested shall, on or before the 19th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

FELIX R. DIAS,  
District Judge.

Colombo, 31st August, 1907.

In the District Court of Kalutara.

*Order Nisi declaring Will proved, &c.*

Testamentary Jurisdiction. In the Matter of the Joint Last Will and Testament of the late Galegameachigey Kathirina Perera of Alubomulla, deceased, and her husband Pamunugamehewagey Suaris Rodrigo of Alubomulla. No. 497.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on the 17th day of July, 1907, in the presence of Mr. E. M. Dharmaratne, Proctor, on the part of the petitioner Pamunugamehewagey Suaris Rodrigo of Alubomulla; and the affidavit of the said petitioner, dated 17th day of July, 1907, having been read:

It is ordered that the joint will and testament of the late Galegameachigey Kathirina Perera of Alubomulla, deceased, dated 25th November, 1902, and now deposited in this court, be and the same is hereby declared proved, unless the respondents—(1) Pamunugamehewagey Dona Peternella Rodrigo Haminey, (2) Mestiagey Don James Appuhamy of Pamunugama, (3) Tuduwegey Tigonis Perera of Maha Arukgode, (4) Pamunugamehewagey Ciciliabeth Rodrigo of Pamunugama—shall, on or before the 14th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Pamunugamehewagey Suaris Rodrigo of Alubomulla is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above-named shall, on or before the 14th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PEIRIS,  
District Judge.

The 17th day of July, 1907.

The date for showing cause against this *Order Nisi* is extended to 28th August, 1907.

P. E. PEIRIS,  
District Judge.

August 14, 1907.

The date for showing cause against this *Order Nisi* is extended to 11th September, 1907.

P. E. PEIRIS,  
District Judge.

August 28, 1907.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Louisa Alexandrina de Fonse-  
No. 501. seka Abeysekere Gooneratne of  
Mahawaskaduwa, deceased.

THIS matter coming on for disposal before P. E. Pieris, Esq., District Judge of Kalutara, on the 28th day of August, 1907, in the presence of Mr. D. de Silva, Proctor, on the part of the petitioner Gorlin de Soyza Siriwardene of Mahawaskaduwa; and the affidavit of the said petitioner, dated 24th July, 1907, having been read: It is ordered that letters of administration to the estate of the late Louisa Alexandrina de Fonseka Abeysekere Gooneratne of Mahawaskaduwa, deceased, be issued to Gorlin de Soyza Siriwardene of Mahawaskaduwa; unless the respondents (1) Ethel Gorley de Soyza Siriwardene, (2) Robert Abeysinghe Goonesekere of Kalamulla, 1st minor respondent by her guardian *ad litem* the 2nd respondent shall, on or before the 18th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

P. E. PIERIS,  
District Judge.

The 28th day of August, 1907.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Ekanaike Wickremasingha  
No. 2,572. Mudienselage Wallauwe Menikrala,  
deceased, of Makuruppa, in the  
Kohoka korale of Upper Hewaheta.

THIS matter coming on for disposal before John Harvey Templer, Esq., District Judge of Kandy, on the 18th day of July, 1907, in the presence of Mr. Ranawana, Proctor, on the part of the petitioner Ekanaike Wickremasinghe Mudienselage Wallauwe Loku Banda *alias* Piyaratna Unanse of Digganpitiya Pansala in Digganpitiya, in the Gandahe korale of Weudawili hatpattu in the District of Kurunegala; and the affidavit of the said petitioner, dated 4th April, 1907, having been read: It is ordered that the petitioner Ekanaike Wickremasinghe Mudienselage

Wallauwe Loku Banda *alias* Piyaratna Unanse of Digganpitiya Pansala in Digganpitiya, in the Gandahe korale of Weudawili hatpattu, in the District of Kurunegala, be and he is hereby declared entitled to letters of administration to the estate of Ekanaike Wickremasinghe Mudienselage Wallauwe Menikrala of Makuruppa in the Kohoka korale of Upper Hewaheta, deceased, as the eldest son of the said deceased, unless (1) Ekanaike Wickremasinghe Mudienselage Wallauwe Loku Menika, residing at Talagunegedera in Denike in the Kohoka korale of Upper Hewaheta aforesaid, (2) Ekanaike Wickremasinghe Mudienselage Wallauwe Medduma Banda, (3) Ekanaike Wickremasinghe Mudienselage Wallauwe Kalu Banda, both of Makuruppa in the Kohoka korale of Upper Hewaheta aforesaid, (4) Ekanaike Wickremasinghe Mudienselage Wallauwe Bandara Menika, residing at Betteg Wallauwa in Pallegampaha of Maturata korale in Uda Hewaheta aforesaid, and (5) Ekanaike Wickremasinghe Mudienselage Wallauwe Tickiry Kumarihamy of Makuruppa aforesaid, by her guardian *ad litem* Ekanaike Wickremasinghe Mudienselage Wallauwe Kalu Banda, the abovenamed 3rd respondent, shall, on or before the 16th day of August, 1907, show sufficient cause to the satisfaction of this court to the contrary.

J. H. TEMPLER,  
District Judge.

The 18th day of July, 1907.

The date for showing cause against the *Order Nisi* is extended to 16th September, 1907.

J. H. TEMPLER,  
District Judge.

August 16, 1907.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Ponnamma, wife of Vaira-  
No. 1,921. muttu Vettivalu of Anaicottai,  
deceased.

Vairamuttu Vettivalu of Karayoor . . . . . Petitioner.

Vs.

Sellamuttu, widow of Markandu of  
Anaicottai . . . . . Respondent.

THIS matter of the petition of Vairamuttu Vettivalu of Karayoor, praying for letters of administration to the estate of the above-named deceased, Ponnamma, wife of Vairamuttu Vettivalu, coming on for disposal before W. R. B. Sanders, Esq., District Judge, on the 7th day of August, 1907, in the presence of Messrs. Tampoo & Valuppilly, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 7th day of August, 1907, having been read: It is declared that the petitioner is the lawful husband of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondent or any other person shall, on or before the 11th day of September, 1907, show sufficient cause to the satisfaction of this court to the contrary.

W. R. B. SANDERS,  
District Judge.

This 7th day of August, 1907.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary In the Matter of the Intestate  
Jurisdiction. Estate of Mutunayakapedige  
No. 228. Appuwa of Henepola, deceased.

Mutunayakapedige Poola Duraya of Henepola ..... Petitioner.

Vs.

(1) Sinhalapedige Ukku of Henepola, (2) Mutunayakapedige Esandi of Henepola.  
(3) Mutunayakapedige Mallandu of Henepola ..... Respondents.

THIS matter coming on for disposal before H. J. V. Ekanayaka, Esq., District Judge of Kegalla, on the 20th day of July, 1907, in the presence of Mr. J. R. Molligode, Proctor, on the part of the petitioner; and the affidavit of the said petitioner, dated the 8th day of March, 1907, having been read :

It is ordered that the petitioner Mutunayakapedige Poola Duraya of Henepola aforesaid be and he is hereby declared entitled to letters of administration to the estate of the aforesaid deceased, as the father of the deceased, unless the respondents aforesaid shall, on or before the 4th day of September, 1907, show sufficient cause to the satisfaction of the court to the contrary.

H. J. V. EKANAYAKA,  
District Judge.

The 20th day of July, 1907.

The date for showing cause is extended for 18th September, 1907.

By order,  
C. P. W. GUNASEKERE,  
Secretary.

August 21 1907.

In the District Court of Chilaw.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Warnecula Adiththa-arsanilaitta Dona Cathirina Perera of  
No. 746. Marawila.

Warneculasuria Cornelis Fernando of Marawila ..... Petitioner.

Against

Warnecula Adiththa-arsanilaitta Jornis Perera of Nainamadama ..... Respondent.

THIS matter coming on for disposal before R. G. Saunders, Esq., District Judge of Chilaw, on the 16th day of August, 1907, in the presence of Mr. N. A. Dharmaratne, Proctor, on the part of the petitioner; and the petition and affidavit, dated the 15th day of August, 1907, having been read :

It is ordered that the petitioner be and he is hereby declared entitled to have letters of administration issued to him to the estate of the late Warnecula Adiththa-arsanilaitta Dona Cathirina Perera of Marawila, unless sufficient cause be shown to the contrary on the 13th day of September, 1907.

R. G. SAUNDERS,  
District Judge.  
The 16th day of August, 1907.

In the District Court of Batticaloa.

Testamentary In the Matter of the Last Will and  
Jurisdiction. Testament of the late M. K. Mohamado Meerasaiboe Marakayer of  
No. 498. Kattankudy.

Modamadulebbe Hadgiar Ahamadulevvai Marakayar of Kattankudy ..... Petitioner

Vs.

1, Mohamadulebbe Hadgiar Pattamuttu ; 2, M. K. Mohamado Meerasaiboe Marakayer Udumalevvai ; 3, M. K. Mohamado Meerasaiboe Marakayer Sinnemarakayer alias Mohamado Mustapha ; 4, M. K. Mohamado Meerasaiboe Marakayer Kalendulevvai ; 5, M. K. Mohamado Meerasaiboe Marakayer Sulaikaumma, minors, represented by their guardian *ad litem* M. K. Mohamado Meerasaiboe Marakayer Udumalevvai, the 2nd respondent ; 6, M. K. Mohamado Meerasaiboe Marakayer Sainambo and her husband 7, Pichaikandulevvai Hadgiar Mohamado Ismalevvai Alim ; 8, M. K. Mohamado Meerasaiboe Marakayer Ponnyumma and her husband 9, Mohiyadinbava Meerasaiboe, all of Kattankudy ..... Respondents.

THIS matter coming on for disposal before G. W. Woodhouse, Esq., District Judge of Batticaloa, on the 13th July, 1907, in the presence of Mr. J. Kadramatamby, Proctor, on the part of the petitioner; and the affidavit and petition, dated 6th July and 12th day of July, 1907, respectively, having been read :

It is ordered that will of the deceased M. K. Mohamadu Meerasaibu Marakayer, dated 4th June, 1907, now deposited in this court, be and the same is hereby declared proved, unless the respondents shall, on or before 27th day of August, 1907, show sufficient cause to the contrary.

And it is further ordered that the said petitioner Mohamadulevvai Hadgiar Ahamadulevvai Marakayer of Kattankudy is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly.

And also it is further ordered that the respondents do pay to the petitioner his costs of and occasioned by this application.

G. W. WOODHOUSE,  
District Judge.

The 12th day of July, 1907.

*Order Nisi* extended to 27th September, 1907.

August 21, 1907.

## NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. 1,532.

In the matter of the insolvency of D. M. Cassim of No. 761, Peradeniya road, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on October 14, 1907, for the consideration of the grant of a certificate of conformity to the above-named insolvent.

September 3, 1907.

By order of court,  
W. M. DE SILVA,  
Secretary.

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**DISTRICT AND MINOR COURTS NOTICES.**

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**N**OTICE is hereby given that all communications addressed to the Police Magistrate or to the Commissioner of Requests of Balapitiya should, in future, be directed to the Post Office at Ambalangoda, and not to Balapitiya as heretofore.

F. D. PERIES,  
Police Magistrate, and  
Commissioner of Requests.

Balapitiya, September 3, 1907.

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**Proclamation under Section 6 of Ordinance No. 12 of 1894.**

**N**OTICE is hereby given that three months from the date hereof, the records enumerated in the schedule annexed will be destroyed under the provisions of Ordinance No. 12 of 1894. Any person interested in any record may personally, by proctor, or by duly authenticated petition claim, upon good cause shown, that such record may not be destroyed:—

Police Court cases from 1885 to the end of 1901.

Court of Requests money cases from 1845 to the end of 1887.

Minor Courts,  
Balapitiya, August 31, 1907.

F. D. PERIES,  
Police Magistrate and  
Commissioner of Requests.

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